

DISTRICT OF COLUMBIA OFFICIAL CODE 2001 EDITION
DIVISION VIII. GENERAL LAWS.
TITLE 50. MOTOR AND NON-MOTOR VEHICLES AND TRAFFIC.
SUBTITLE V. NON-MOTORIZED VEHICLES.
CHAPTER 16. REGULATION OF BICYCLES.
SUBCHAPTER I. GENERAL PROVISIONS.

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§ 50-1601. Findings.

The Council of the District of Columbia finds that:

- (1) Increased use of bicycles for transportation and recreation will result in improved air quality, reduced levels of noise and traffic congestion, greater energy conservation, lower transportation costs, fewer parking problems, and increased physical fitness.
- (2) Bicycle fatalities and accidents can be reduced through broad-based education and facilities improvements.
- (3) The promotion of bicycle transportation and safety in the District of Columbia ("District") requires the implementation of a comprehensive bicycle transportation and safety program.
- (4) A bicycle office is required to coordinate the comprehensive program.
- (5) Disability and death from injuries sustained in bicycling accidents are a serious threat to the health, welfare and safety of District children.
- (6) Each year approximately 290 children are involved in fatal accidents, and nearly 400,000 are injured with varying degrees of severity in bicycle related injuries or crashes.
- (7) Head injuries account for over 60% of bicycle related fatalities and 1/3 of bicycle related emergency room visits.
- (8) Use of a bicycle helmet is the single, most effective preventive measure of reducing head injuries 85%, and brain injuries or serious disabilities by 88% from bicycle accidents.
- (9) Only 15% of bicyclists use proper head protective equipment, and some studies show that bicycle helmet usage for children under 16 years of age ranges from 5% to 15%.

§ 50-1602. Comprehensive Bicycle Transportation and Safety Program.

- (a) There shall be established in the District of Columbia a Comprehensive Bicycle Transportation and Safety Program to promote the safe and convenient use of the bicycle as a means of transportation and recreation.
- (b) The scope of the program shall include, but not be limited to:

- (1) Planning and supporting road improvements for bicyclists, such as wide curb lanes, smooth shoulders, bicyclist-oriented signs and signals, and removal of hazards;
- (2) Improving access for bicyclists on the road network and on all modes of public transportation;
- (3) Monitoring construction and repair projects to ensure that no additional hazards or obstacles to bicyclists are created as the transportation system is built or rebuilt;
- (4) Assisting, organizing, and coordinating the planning, design, construction, improvement, repair, and maintenance of bicycle facilities, such as bicycle paths and bicycle lanes, both within and separate from the highway rights-of-way;
- (5) Promoting the installation of secure and convenient bicycle parking facilities;
- (6) Organizing safety education and training programs for young and adult bicyclists, as well as for motorists, to reduce bicycling accidents and foster safe use of bicycles; and
- (7) Promoting effective traffic law enforcement to protect the rights of all road users and to encourage good bicycling habits.

[§ 50-1603. Office of Bicycle Transportation and Safety.](#)

There shall be established within the Office of the Director of the Department of Public Works an Office of Bicycle Transportation and Safety to promote the safe and convenient use of the bicycle as a means of transportation and recreation.

- (1) The Office shall be headed by a bicycle coordinator who shall be a person with broad knowledge in all aspects of bicycle transportation and safety.
- (2) The Office shall be staffed with a minimum of 2 full-time assistant bicycle coordinators who shall have appropriate experience and knowledge of bicycle matters.
- (3) The duties of the bicycle coordinator shall include, but not be limited to:
 - (A) Administering the Comprehensive Bicycle Transportation and Safety Program;
 - (B) Serving as a contact for federal agencies, the press, civic organizations, and individuals on all matters related to bicycling;
 - (C) Establishing priorities and programming of bicycle facilities;
 - (D) Coordinating the District of Columbia's bicycle program with all agencies on matters relating to bicycles, including transportation, recreation, touring, sports and racing, physical fitness, and economic development;
 - (E) Assisting the Mayor of the District of Columbia ("Mayor"), the Director

of the Department of Public Works, or a District agency in preparing budgetary, legislative, or regulatory proposals which may affect bicycling; and

(F) Evaluating and reporting annually to the Mayor and Director of the Department of Public Works on the District's bicycling programs and recommending any needed changes in these programs.

§ 50-1604. District of Columbia Bicycle Advisory Council.

(a) There is established a District of Columbia Bicycle Advisory Council (the "Council").

(b) The Council shall be composed of 18 members appointed as follows:

(1) One representative of the Department of Public Works, appointed by the Mayor;

(2) One representative of the Department of Recreation, appointed by the Mayor;

(3) One representative of the District of Columbia Energy Office, appointed by the Mayor;

(4) One representative of the Metropolitan Police Department, appointed by the Mayor;

(5) One representative of the Board of Education of the District of Columbia appointed by the President of the Board of Education; and

(6) Thirteen community representatives, with each member of the Council of the District of Columbia appointing 1 representative. Each of the community representatives shall be residents of the District with a demonstrated interest in bicycling. The representative appointed by the council member who chairs the committee having jurisdiction over bicycles shall serve as chairperson of the Council.

(c) The community members shall be appointed for a term of 3 years, with initial staggered appointments of 4 members appointed for 1 year, 5 members appointed for 2 years, and 4 members appointed for 3 years. The members to serve the 1-year term, the members to serve the 2-year term, and the members to serve the 3-year term shall be determined by lot at the 1st meeting of the Council.

(d) The purpose of the Council shall be to serve as the advisory body to the Mayor and District agencies on matters pertaining to bicycling in the District and to make recommendations to the bicycle coordinator on the budget and focus of the Comprehensive Bicycle Transportation and Safety Program.

[§ 50-1605. Helmet use requirements.](#)

(a) It shall be unlawful for any person under 16 years of age to operate or to be a passenger on a bicycle or any attachment to a bicycle on a public roadway, public bicycle path or other right-of-way, unless that person wears a protective helmet of good fit, fastened securely upon the head with the straps of the helmet.

(b) It shall be unlawful for any parent or legal guardian of a child under 16 years of age to knowingly permit the child to operate or to be a passenger on a bicycle on a public roadway, public bicycle path, or other public right-of-way, unless at all times when the child is so engaged, he or she wears a protective bicycle helmet of good fit, fastened securely upon the head with the straps of the helmet.

(c) The parents or legal guardians of any child under 16 years of age found in violation of this section shall be liable for paying a fine of \$25. However, the fine shall be suspended for:

(1) First time violators; or

(2) Violators who subsequent to the violation, but prior to the imposition of fine, purchase a helmet of the type required by this subchapter.

(d) The penalties provided for pursuant to subsection (c) of this section shall not be enforced until 90 days after May 23, 2000.

(e) Any helmet sold or rented, or offered for sale or rent, for use by operators and passengers of bicycles shall be conspicuously labeled in accordance with the standard described in § 50-1609(5).

(f)(1) A person regularly engaged in the business of renting bicycles shall require each person seeking to rent a bicycle to provide his or her signature, either on the rental form, or on a separate form containing each of the following:

(A) A written explanation of the provisions of this subchapter and the penalties for violations; and

(B) A statement concerning whether a person under 16 years of age will operate a bicycle in an area where a helmet is required.

(2) A person regularly engaged in the business of renting bicycles shall provide a properly fitted helmet to any person who will operate the bicycle in an area requiring a helmet, if the person does not already have a helmet in his or her possession. A reasonable fee may be charged for the helmet rental.

(3) A person regularly engaged in the business of selling or renting bicycles who complies with this subchapter shall not be liable in a civil action for damages for any physical injuries sustained by a bicycle operator or passenger as a result of the operator's passenger's failure to wear a helmet or to wear a properly fitted or fastened helmet in violation of this subchapter.

[§ 50-1606. Contributory negligence.](#)

Failure to wear a helmet as described in this subchapter shall not be considered as evidence of either negligence per se, contributory negligence, or assumption of the risk in any civil suit arising out of any accident in which a person under 16 years of age is injured. Failure to wear a helmet shall not be admissible as evidence in the trial of any civil action, nor in any way diminish or reduce the damages recoverable in such action.

[§ 50-1607. Child safety helmet education program.](#)

(a) Within 60 days of May 23, 2000, the Department of Public Works, in conjunction with the Metropolitan Police Department and District of Columbia Public Schools, shall develop and implement a public education program to educate adults and children under 16 years of age on the requirements of this subchapter and the importance of properly wearing bicycle safety helmets.

(b) By October 1, of each year, the Department of Public Works shall provide the Council of the District of Columbia, Committee on Public Works and the Environment, or a successor committee, a report summarizing the public education activities completed during the previous fiscal year, along with any statistics collected regarding bicycle accidents and injuries during the preceding fiscal year.

[§ 50-1608. Child safety helmet assistance program.](#)

The District of Columbia Department of Public Works shall adopt a helmet assistance program which shall include grants and discount programs to assist indigent parents and guardians of children under 16 years of age in obtaining safety helmets.

[§ 50-1609. Definitions.](#)

For the purposes of this subchapter the term:

(1) "Bicycle" means a human-powered vehicle with wheels designed to transport, by pedaling, one or more persons seated on one or more saddle seats

on its frame. "Bicycle" also includes a human-powered vehicle, and any attachment to the vehicle designed to transport by pedaling when the vehicle

is used on a public roadway, public bicycle path or other public right-of-way. The term "Bicycle" also includes a "tricycle," which is a 3-wheeled human-powered vehicle designed for use as a toy by a single child under 6 years of age, the seat of which is no more than 2 feet from ground level.

(2) "Operator" means a person under 16 years of age who travels on a bicycle seated on a saddle seat from which that person is intended to and can pedal the bicycle.

(3) "Other public right-of-way" means any right of way other than a public roadway or public bicycle path that is under the jurisdiction and control of the District of Columbia and is designed for use and used by vehicular or pedestrian traffic.

(4) "Passenger" means any person, under 16 years of age, who travels on a bicycle in any manner except as an operator.

(5) "Protective bicycle helmet" means a piece of headgear which meets or exceeds the impact standards for protective bicycle helmets set by the American National Standards Institute (ANSI) or the Snell Memorial Foundation's standards for protective headgear or the American Society for testing and Materials (ASTM) for use in bicycling.

(6) "Public bicycle path" means a right-of-way under the jurisdiction and control of the District of Columbia for use primarily by bicycles and pedestrians.

(7) "Public roadway" means a right-of-way under the jurisdiction and control of the District of Columbia for use primarily by motor vehicles.

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§ 50-1631. Definitions.

For purposes of this subchapter, the term:

- (1) "Commercial bicycle operator" means an individual at least 16 years of age who receives financial compensation for the delivery or pick-up of goods or services by bicycle as a substantial part of his or her business or earnings, as defined by the Mayor in rules developed pursuant to § 50-1632(d)(3).
- (2) "Courier company" means any firm, partnership, company, corporation, or organization operating within the District of Columbia that employs, compensates, utilizes, or contracts with a commercial bicycle operator.
- (3) "Mayor" means the Mayor of the District of Columbia.

§ 50-1632. Licensing; violations; identification numbers.

(a) Except as provided in subsection (e) of this section, no commercial bicycle operator shall operate within the District of Columbia without a license issued by the Mayor. A commercial bicycle operator shall pass a bicycle safety test developed by the Mayor in order to receive a commercial bicycle operator's license.

(b) It shall be a violation of this subchapter for a commercial bicycle operator licensed under this section to:

- (1) Fail to pay a license fee not to exceed \$50 per year;
- (2) Fail to carry a valid commercial bicycle operator's permit that shall include a photo identification listing the commercial bicycle operator's name, address, permit number, and any other information required by the Mayor pursuant to subsection (d)(3) of this section;
- (3) Fail to display, in a manner visible from the rear, a valid commercial bicycle operator identification number issued by the Mayor pursuant to subsection (d)(2) of this section and, if employed by, compensated by, utilized by, or under contract to a courier company, the name and telephone number of the courier company, or if not employed by, compensated by, utilized

by, or under contract to a courier company, the commercial bicycle operator's telephone number and address;

(4) Use a commercial bicycle operator's permit or identification number assigned to someone other than the commercial bicycle operator; or

(5) Violate any other requirement created by rule related to commercial bicycle operators.

(c) After notice and an opportunity to be heard, the commercial bicycle license shall not be renewed or shall be suspended or revoked upon the accumulation of a substantial number of bicycle traffic law violations and unpaid fines as determined by rules promulgated by the Mayor.

(d) The Mayor shall:

(1) Issue a commercial bicycle operator's permit to each commercial bicycle operator who has passed the required bicycle safety test and paid the license fee required under § 50-1632(b)(1);

(2) Issue commercial bicycle operator identification numbers upon request to courier companies and to commercial bicycle operators not employed by, compensated by, utilized by, or under contract to a courier company;

(3) Issue rules to implement the provisions of this subchapter pursuant to subchapter I of Chapter 5 of Title 2, within 120 days of March 29, 1988; and

(4) Develop a public education program to inform the public of the requirements of this subchapter.

(e) Commercial bicycle operators operating in the District of Columbia as of March 29, 1988 shall obtain a license from the Mayor within 180 days of March 29, 1988.

[§ 50-1633. Courier company responsibility.](#)

No courier company shall employ, compensate, utilize, or contract with a commercial bicycle operator who does not have a valid commercial bicycle operator's permit and a properly registered bicycle.

[§ 50-1634. Enforcement.](#)

(a) The Mayor shall promulgate a schedule of civil fines not to exceed \$50 for violations of the provisions of this subchapter and rules promulgated pursuant to § 50-1632(d)(3).

(b) The proposed schedule of fines shall be submitted to the Council of the District of Columbia within 60 days of March 29, 1988 for approval, in whole or in part, by resolution. Nothing in this subchapter shall affect any requirements imposed upon the Mayor by subchapter I of Chapter 5 of Title 2.